

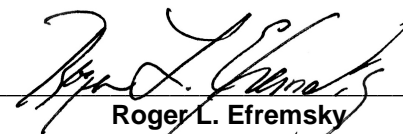
June 25, 2010

GLORIA L. FRANKLIN, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA



The following constitutes

the order of the court. Signed June 24, 2010

  
Roger L. Efremsky  
U.S. Bankruptcy Judge

1 GLENN D. POMERANTZ (SBN 112503)

Glenn.Pomerantz@mto.com

2 KELLY M. KLAUS (SBN 161091)

Kelly.Klaus@mto.com

3 BLANCA F. YOUNG (SBN 217533)

Blanca.Young@mto.com

4 SETH GOLDMAN (SBN 223428)

Seth.Goldman@mto.com

5 MUNGER, TOLLES & OLSON LLP

355 South Grand Avenue, Suite 3500

6 Los Angeles, CA 90071-1560

Telephone: (213) 683-9100

7 Facsimile: (213) 687-3702

8 Attorneys for WMG Creditors

WARNER BROS. RECORDS INC., ATLANTIC

9 RECORDING CORPORATION, ELEKTRA

ENTERTAINMENT GROUP INC., and RHINO

10 ENTERTAINMENT COMPANY

11 PRYOR CASHMAN LLP

7 Time Square

12 New York, New York 10036

Telephone: (212) 421-4100

13 Facsimile: (212) 326-0806

DONALD S. ZAKARIN

14 dzakarin@pryorcashman.com

RICHARD LEVY, JR.

15 rlevy@pryorcashman.com

FRANK P. SCIBILIA

16 fscibilia@pryorcashman.com

*all admitted pro hac vice*

17 Attorneys for EMI Creditors

18 CAPITOL RECORDS, LLC,

CAROLINE RECORDS, INC.,

19 VIRGIN RECORDS AMERICA, INC.,

COLGEMS-EMI MUSIC INC.,

20 EMI APRIL MUSIC INC.,

EMI BLACKWOOD MUSIC,

21 EMI FEIST CATALOG INC.,

EMI FULL KEEL MUSIC,

22 EMI GOLDEN TORCH MUSIC CORP.,

EMI GOLD HORIZON MUSIC CORP.,

23 EMI GROVE PARK MUSIC, INC.,

EMI LONGITUDE MUSIC,

24 EMI MILLER CATALOG INC.,

EMI ROBBINS CATALOG INC.,

25 EMI U CATALOG, INC.,

EMI VIRGIN MUSIC, INC.,

26 EMI VIRGIN SONGS, INC.,

EMI WATERFORD MUSIC, INC.,

27 JOBETE MUSIC CO. INC.,

28

1 SCREEN GEMS-EMI MUSIC INC. AND  
2 STONE DIAMOND MUSIC

3 UNITED STATES BANKRUPTCY COURT  
4 NORTHERN DISTRICT OF CALIFORNIA  
5 SAN JOSE DIVISION

6  
7 In re

8 SEEQPOD, INC.,  
9 Debtor.

Case No. 09-52226-RLE-7

Chapter 7

Honorable Roger L. Efremsky

**ORDER COMPELLING  
ATTENDANCE FOR EXAMINATION  
UNDER BANKRUPTCY RULE 2004**

Date: June 23, 2010  
Time: 4:00 p.m.  
Ctvm: 3099  
280 South First Street  
San Jose, CA 95113

15  
16 On June 23, 2010 at 4:00 p.m., the above-referenced matter came on for hearing related to  
17 the examination of Kasian Franks pursuant to Bankruptcy Rule 2004 and this Court's order of  
18 April 19, 2010. Having considered the statements of all interested parties, including Kasian  
19 Franks, Campeau Goodsell Smith, the Trustee (through counsel), and the WMG and EMI  
20 plaintiffs (through counsel), it is hereby ORDERED:

21 (1) The Court is providing Kasian Franks with one final opportunity to arrange for counsel  
22 to represent him in his 2004 Examination.

23 (2) In any event, the 2004 Examination of Kasian Franks shall go forward, with or without  
24 counsel, on Monday, June 28, 2010 starting at 9:00 a.m., at the law offices of Munger, Tolles &  
25 Olson LLP, 560 Mission Street, 27<sup>th</sup> Floor, San Francisco, CA 94104, and continuing from day to  
26 day until completed, subject to further court order to stop the deposition before completion based  
27 upon a showing of good cause.  
28

1 (3) This Order is without prejudice to any further motion to enforce or compel compliance  
2 with the court's prior order dated April 19, 2010, including with regard to the production of  
3 documents by Kasian Franks.

4 (4) This Order is without prejudice to any motion by the WMG and EMI plaintiffs for  
5 sanctions.

6 (5) Failure to comply with this Order may result in sanctions as set forth in Fed. R. Civ. P.  
7 37, including treating the failure to obey this Order as contempt of Court.

8 (6) This Court shall retain jurisdiction over any and all matters arising from or related to  
9 the interpretation and/or implementation of this Order.

10  
11 \*\*END OF ORDER\*\*  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**COURT SERVICE LIST**

Examinee

Kasian Franks  
100 Spear Street  
Suite 1410  
San Francisco, CA 94111

Debtor

SeeqPod, Inc.  
13998 Shadow Oaks Way  
Saratoga, CA 95070

Chapter 7 Trustee

Mohamed Poonja  
P.O. Box 1510  
Los Altos, CA 94023-1510  
*mpoonja@sbcglobal.net*

Attorneys for Chapter 7 Trustee

Luce, Forward, Hamilton & Scripps LLP  
Barry Milgrom, Esq.  
Rincon Center II, Suite 200  
121 Spear Street  
San Francisco, California 94105  
*BMilgrom@LUCe.com*

Attorneys for WMG Creditors

Munger, Tolles & Olson LLP  
Seth Goldman, Esq.  
355 South Grand Avenue, Suite 3500  
Los Angeles, CA 90071-1560  
*Seth.goldman@mto.com*

Attorneys for EMI Creditors

Pryor Cashman LLP  
Donald S. Zakarin, Esq.  
Richard Levy, Jr., Esq.  
Frank P. Scibilia, Esq.  
New York, New York 10036  
*dzakarin@pryorcashman.com*  
*rlevy@pryorcashman.com*  
*fscibilia@pryorcashman.com*

1 Attorneys for EMI Creditors

2 Jeffer, Mangels, Butler & Marmaro LLP  
3 Walter Goulbury, III, Esq.  
4 Wesley Kinnear, Esq.  
5 Two Embarcadero Center, 5th Floor  
6 San Francisco, California 94111  
7 *wwg@jmbm.com*  
8 *jwk@jmbm.com*

9 U.S. Trustee

10 Office of the U.S. Trustee  
11 John S. Wesalowski, Esq.  
12 U.S. Federal Building, Suite 268  
13 280 South 1<sup>st</sup> Street  
14 San Jose, CA 95113-3004  
15 *john.wesolowski@usdoj.gov*

16 Former Attorneys for Debtor

17 Campeau, Goodsell Smith  
18 Scott L. Goodsell, Esq.  
19 Gregory J. Charles, Esq.  
20 440 North 1st Street, #100  
21 San Jose, CA 95112  
22 *gcharles@campeaulaw.com*

23 Special Notice

24 Farella, Braun + Martel LLP  
25 Kelly A. Woodroof, Esq.  
26 Deepak Gupta, Esq.  
27 235 Montgomery Street, 17<sup>th</sup> Floor  
28 San Francisco, CA 94104  
*kwoodroof@fbm.com*  
*dgupta@fbm.com*

Special Notice - Attorneys for VW Credit

Brice, Vander Linden & Wernick, P.C.  
Larry Buckley, Esq.  
9441 LBJ Freeway, Suite 350  
Dallas, Texas 75243  
*notice@bkcyllaw.com*